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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/882,857	06/15/2001	Maarten R. van Dantzych	MS150900.15	8785
27195	7590	11/02/2005	EXAMINER	
AMIN & TUROCY, LLP 24TH FLOOR, NATIONAL CITY CENTER 1900 EAST NINTH STREET CLEVELAND, OH 44114			ROSWELL, MICHAEL	
			ART UNIT	PAPER NUMBER
			2173	

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/882,857	Applicant(s) VAN DANTZICH ET AL.	
	Examiner Michael Roswell	Art Unit 2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 August 2005.
2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,6,8-28,30-37 and 39-47 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1,2,6,8-28,30-37 and 39-47 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>20050125</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 2, 8, 9, 11-13, 16, 30, 33, 34, 37, 39-41, 43-45, and 47 are rejected under 35 U.S.C. 102(e) as being anticipated by Robarts et al (US Patent 6,842,877), hereinafter Robarts.

Regarding claim 1, Robarts teaches a priorities system that prioritizes notifications, one or more prioritized notifications, and an object that provides an interface corresponding to a priority level or one or more subsets of the prioritized notifications, wherein the notification system senses implicit user actions and adjusts the prioritization of one or more notifications based on the implicit user actions and according to the user's context, taught as a system for displaying information and notifications to a user based on the user's current context and monitored (implicit) information (such as the tracking of a user's positional data), the displaying of such data being based on priorities. See Robarts, col. 37, lines 25-37 and col. 20, lines 13-24.

Regarding claim 2, Robarts teaches the interface rendering at least one of a visual, audio, and physical indication of the one or more prioritized notifications, taught as the use of visible, auditory, or haptic alerts, at col. 37, lines 42-45.

Regarding claim 8, Robarts teaches the one or more prioritized notifications being categorized to at least one of a source and a domain, the source including the modality of the notification, the domain including a category associated with the user, taught as the use of different themes (categories) related to different user activities, at col. 34, lines 38-41.

Regarding claim 9, Robarts teaches a display configured according to at least one of the source and the domain, taught as the display of different theme layouts based on a user context, at col. 34, lines 38-41.

Regarding claim 11, Robarts teaches one or more display objects that are associated with the one or more prioritized notifications, taught as the display of prioritized themes and their related notifications on a user interface, at col. 37, lines 25-36.

Regarding claim 12, it can be seen in Fig. 11K of Robarts that the more highly prioritized notification is located on the display in a more prominent position.

Regarding claim 13, Robarts teaches one or more display objects being rendered in proximity to one or more other display objects to provide meaning according to the proximity of the rendered display objects, taught as the display of objects of a related theme in proximity to one another, meaning they are part of the same theme, as seen in Fig. 11J, in the "Driving Home" theme.

Regarding claim 16, Robarts inherently teaches mapping rules for associating the one or more prioritized notifications to the display, as all elements that are displayed on a screen must adhere to rules, methods, and variables that locate them on the display.

Regarding claim 30, Robarts teaches changing the display based upon an interaction level of a user, taught as the display of information based on user interaction with the system, at col. 39, lines 27-32.

Regarding claim 33, Robarts teaches the interface rendering audio as an indication of the one or more prioritized notifications, taught as the use of audio alerts, at col. 37, lines 42-45.

Regarding claims 34, 43, 44 and 47, Robarts teaches mapping at least one of a notification and a priority to one or more objects, automatically rendering the one or more objects based upon at least one of the notification and priority, providing inputs to interact with the notification system, implicitly sensing a user's interaction with the notification system, and adapting the priority of one or more objects based on the user's interaction and according to the user's context, taught as a system for displaying information and notifications to a user based on the user's current context and monitored (implicit) information (such as the tracking of a user's positional data), the displaying of such data being based on priorities. See Robarts, col. 37, lines 25-37 and col. 20, lines 13-24. Furthermore, since the system of Robarts is executed on a computer, it is inherent that it includes a computer-readable medium having computer-executable instructions for performing the above acts, and a signal for transmitting the computer-executable instructions.

Regarding claim 37, Robarts teaches the interface rendering at least one of a visual, audio, and physical indication of the one or more prioritized notifications, taught as the use of visible, auditory, or haptic alerts, at col. 37, lines 42-45.

Regarding claim 39, Robarts teaches locating the one or more objects on a device according to at least one of the notification and the priority, taught as the display of prioritized themes and their related notifications on a user interface, at col. 37, lines 25-36.

Regarding claim 40, Robarts teaches one or more display objects being rendered in proximity to one or more other display objects to provide meaning according to the proximity of the rendered display objects, taught as the display of objects of a related theme in proximity to one another, meaning they are part of the same theme, as seen in Fig. 11J, in the "Driving Home" theme.

Regarding claim 41, Robarts teaches at least one of the following rules: fitting the amount of the one or more objects in a display, defining meta display items, and utilizing a third display dimension to display the one or more objects, taught as the display of items related to a current theme, at col. 34, lines 38-41.

Regarding claim 45, Robarts teaches means for updating the display in relation to at least one of a source and a domain according to the at least one prioritized information, taught as the display of prioritized themes and their related notifications on a user interface, at col. 37, lines 25-36.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Robarts and Subramonian et al (US Patent 6,701,362), hereinafter Subramonian.

Robarts has been shown *supra* to teach the limitations of claim 1.

However, Robarts fails to explicitly teach implicit user actions including at least one of response timing, reading, deleting, and ignoring one or more prioritized notifications.

Subramonian teaches a method for creating user profiles by taking explicit and implicit information about that user, similar to that of Robarts. Furthermore, Subramonian teaches implicit user actions including at least one of response timing, reading, deleting, and ignoring one or more prioritized notifications, taught as the implicit recording of which web pages a user is accessing (reading), and their response to advertisements and other notifications, at col. 8, lines 17-33.

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Robarts and Subramonian before him at the time the invention was made to modify the implicit information monitoring of Robarts to include the recording of read information and user response to notifications of Subramonian, in order to obtain a priorities system capable of monitoring various implicit user actions.

One would be motivated to make such a combination for the advantage of building a thorough user profile, as is the main goal in Subramonian.

Claims 10 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Robarts and Tanaka.

Regarding claims 10 and 28, Robarts has been shown *supra* to teach the limitations of claim 8.

However, Robarts fails to explicitly teach an input to enable switching the display between the source and the domain.

Tanaka teaches a system capable of displaying notifications about information of interest to a user, similar to that of Robarts. Furthermore, Tanaka teaches an input to enable switching the display between the source and the domain, taught as the ability to switch between displays of a network configuration of a management domain (col. 9, lines 60-67) and a display of a management network (col. 10, lines 25-28).

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Robarts and Tanaka before him at the time the invention was made to modify the priorities system of Robarts to include the display switching of Tanaka in order to obtain a priorities system capable of switching the display between a domain and a source.

One would have been motivated to make such a combination for the advantage of providing as much pertinent information as possible to a user.

Claims 14, 17, 18, 20-22, 31, 35, and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Robarts and Wichelman.

Regarding claim 14, Robarts has been shown *supra* to teach the limitations of claim 11.

However, Robarts fails to explicitly teach the shape and color of one or more display objects being indications of at least one of the source, domain, and priority of one or more prioritized notifications.

Wichelman teaches a system for monitoring and presenting information of interest to a user, similar to that of Robarts. Furthermore, Wichelman teaches the shape and color of one or more display objects being indications of at least one of the source, domain, and priority of one or more prioritized notifications, taught as the use of a node status tab with a colored region for informing a user when a critical event has occurred. See col. 38, lines 53-56 and col. 14, lines 65-67.

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Robarts and Wichelman before him at the time the invention was made to modify the priorities system of Robarts to include the color representation of Wichelman. One would have been motivated to make such a combination for the advantage of “at-a-glance” determination of the status of information, displayed simply as a color representing that status.

Regarding claims 17 and 35, Wichelman teaches the display providing an indication of change over time associated with one or more prioritized notifications, taught as the display of information related to Noise Power and Channel Power over a certain period of time, at Figs. 11I-11J.

Regarding claim 18, Wichelman teaches display objects changing color, taught as the use of a node status tab with a colored region that utilized varying colors for informing a user when a critical event has occurred. See col. 38, lines 53-56 and col. 14, lines 65-67.

Regarding claims 20 and 42, Wichelman teaches display objects being selected to provide at least one summary, taught as the Group Level Status Summary of Fig. 10.

Regarding claim 21, Wichelman teaches semantic viewing enabling users to receive various levels of information, taught as the zoom in and zoom out functions of col. 38, line 10.

Regarding claim 22, Wichelman teaches the display objects being at least a circle. See Fig. 11A.

Regarding claim 31, Wichelman teaches the interaction level being determined from the context of the user via the notification system, taught at col. 9, line 67 through col. 10, line 2.

Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Robarts and Battat.

Robarts has been shown *supra* to teach the limitations of claim 11.

However, Robarts fails to explicitly teach clustering rules for displaying N number of display objects in a constrained space, where N is an integer, the clustering rules including at least one of rendering as many display objects that can fit in the display, defining meta display objects, and utilizing a third display dimension to display topological densities.

Battat teaches a system for the display of notifications pertaining to information of interest, similar to that of Robarts. Furthermore, Battat teaches clustering rules for displaying N number of display objects in a constrained space, where N is an integer, the clustering rules including at least one of rendering as many display objects that can fit in the display, defining

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meta display objects, and utilizing a third display dimension to display topological densities, at col. 4, lines 49-50 and in Fig. 17.

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Robarts and Battat to combine the priorities system of Robarts to include the clustering rules of Battat. One would be motivated to make such a combination for the advantage of allowing a user to control and view as much pertinent information as possible.

Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Robarts, Wichelman, and Simonoff.

Robarts and Wichelman have been shown *supra* to teach the limitations of claim 17.

However, Robarts and Wichelman fail to explicitly teach at least one of a fast forward and a replay section to provide the indication of changes over time.

Simonoff teaches a system capable of displaying notifications about information of interest to a user, similar to that of Robarts and Wichelman. Furthermore, Simonoff teaches at least one of a fast forward and a replay section to provide the indication of changes over time, at col. 10, lines 27-28.

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Robarts, Wichelman, and Simonoff before him at the time the invention was made to modify the notification system of Robarts and Wichelman to include the replay section of Simonoff. One would have been motivated to make such a combination for the advantage of giving the user greater functionality and control in terms of information of interest.

Claims 23-25, 32, and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Robarts and Giles.

Regarding claims 23 and 46, Robarts has been shown *supra* to teach the limitations of claim 11.

However, Robarts fails to explicitly teach the display being rendered into one or more sectors associated with at least one of the source and the domain.

Giles teaches a system capable of displaying notifications about information of interest to a user, similar to that of Robarts. Furthermore, Giles teaches a display being rendered into one or more sectors associated with at least one of the source and the domain, as shown in Fig. 1.

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Robarts and Giles before him at the time the invention was made to modify the priorities system of Robarts to include the sectors of Giles. One would be motivated to make such a combination for the advantage of graphically dividing information on a display in order to attract a user's attention to specific groups of data.

Regarding claim 24, Giles teaches the sectors forming a rectangle, as seen in Fig. 1.

Regarding claim 25, Giles teaches the sectors being subdivided according to priorities of one or more prioritized notifications, as shown in Fig. 1.

Regarding claim 32, Giles teaches a horizon view, from which a user can control a management system, at col. 4, lines 49-52 and Fig. 1.

Claims 26 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roberts, Giles, and Simonoff.

Roberts and Giles have been shown *supra* to teach the limitations of claim 23.

However, Roberts and Giles fail to explicitly teach vectors graphics utilized to manipulate the sectors and the collective form to be resizable to provide more or less information regarding the one or more prioritized notifications.

Simonoff teaches a system capable of displaying notifications about information of interest to a user, similar to that of Roberts and Giles. Furthermore, Simonoff teaches the resizing of graphical interface elements to display more or less information, as well as such through vectors graphics, at col. 17, lines 29-31 and col. 8, line 21.

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Roberts and Giles and Simonoff before him at the time the invention was made to modify the priorities system of Roberts and Giles to include the graphical element resizing of Simonoff. One would have been motivated to make such a combination for the advantage of user customization of the interface, allowing a user to feel comfortable with the presentation of information before him.

Claim 36 is rejected under 35 U.S.C. 103(a) as being unpatentable over Roberts, Wichelman, and Tanaka.

Roberts and Wichelman have been shown *supra* to teach the limitations of claim 35.

However, Roberts and Wichelman fail to explicitly teach an input to enable switching the display between the source and the domain.

Tanaka teaches a system capable of displaying notifications about information of interest to a user, similar to that of Roberts and Wichelman. Furthermore, Tanaka teaches an input to

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enable switching the display between the source and the domain, taught as the ability to switch between displays of a network configuration of a management domain (col. 9, lines 60-67) and a display of a management network (col. 10, lines 25-28).

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Robarts, Wichelman, and Tanaka before him at the time the invention was made to modify the priorities system of Robarts and Wichelman to include the display switching of Tanaka in order to obtain a priorities system capable of switching the display between a domain and a source.

One would have been motivated to make such a combination for the advantage of providing as much pertinent information as possible to a user.

Response to Arguments

Applicant's arguments with respect to claims 1, 2, 6, 8-28, 30-37, and 39-47 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Please note that the Examiner of record has changed.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period

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will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Roswell whose telephone number is (571) 272-4055. The examiner can normally be reached on 8:30 - 6:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571) 272-4048. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Michael Roswell
10/27/2005



CAO (KEVIN) NGUYEN
PRIMARY EXAMINER